

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	CRIMINAL NO.: 3:22-cr-274
	)	
Plaintiff,	)	
	)	JUDGE JAMES R. KNEPP, II.
vs.	)	
	)	
ANITA GREEN,	)	<b><u>DEFENDANT’S OBJECTION TO</u></b>
	)	<b><u>GOVERNMENT’S MOTION TO</u></b>
Defendant.	)	<b><u>CONTINUE SENTENCING HEARING</u></b>
	)	

Now comes Defendant, Anita Green, by and through undersigned counsel, Friedman Nemecek & Long, L.L.C., and hereby submits the instant objection to the Government’s Motion to Continue, which was filed on February 8, 2024.

On October 17, 2023, Ms. Green appeared before this Honorable Court and entered a plea of “Guilty” to one (1) count of Accessory After the Fact, in violation of 18 U.S.C. § 3, a Class C felony. Since that time, Ms. Green has been anxiously awaiting her sentencing while on home incarceration, which has caused her a great deal of stress and emotional distress. This mental distress cannot be understated. Ms. Green has expressed sincere remorse and grief from the beginning of the instant matter. Since Ms. Green pled “Guilty,” almost four months ago, she has anxiously been awaiting this Court’s sentence, wondering what will come next for her. She is now fully prepared to move forward with sentencing and eager to stand in front of this Honorable Court. Forcing Ms. Green to wait any longer would have an immense and negative effect on her emotional and mental well-being.

In its Motion to Continue, the Government contends that Ms. Hovanec intends to change her plea and opines that it would be appropriate for the Court to wait and sentence Ms. Green and Ms. Hovanec together. However, it is likely that this Court will need several months to

sentence Ms. Hovanec, as Ms. Hovanec has yet to formally change her plea. Frankly, it is appropriate to sentence Ms. Hovanec and Ms. Green separately, as their roles in the criminal conduct were very different. The Government does not articulate any good reason why this Court should or needs to sentence Ms. Green and Ms. Hovanec together. Simply put, to have Ms. Green wait any longer for her sentence would be inappropriate under the circumstances.

Moreover, Ms. Green has several supporters who have made accommodations to be present and show their support for Ms. Green at the Sentencing Hearing. These accommodations include taking time off work and making necessary travel arrangements. To that end, Ms. Green has two supporters who currently live in Florida, and have incurred significant expense to be present on February 23, 2024. Should this Honorable Court continue Ms. Green's Sentencing Hearing, these supporters will be financially harmed. To a lesser extent, several of Ms. Green's other supporters are traveling from various parts of Ohio and have already made the necessary travel arrangements. Likewise, Attorney Friedman has an out of state work and family obligation that requires him to fly out of Ohio on the night of February 23, 2024. This obligation would have begun on February 21, 2024. However, due to the scheduled Sentencing Hearing, Attorney Friedman has cancelled part of the trip, and has scheduled his travel around the instant Sentencing Hearing, booking a flight out of Detroit, Michigan hours after the scheduled sentencing hearing.

While it is not the common practice of undersigned to object to these types of continuance requests, the instant matter presents unique circumstances which warrant an objection. Specifically, Ms. Green and her supporters will be greatly prejudiced should the Sentencing Hearing, which is presently scheduled for February 23, 2024, be rescheduled.

**WHEREFORE**, for the foregoing reasons, Defendant, Anita Green respectfully objects to the Government's Motion to Continue and asks that this Court deny the Government's Motion and permit the Sentencing Hearing to proceed as scheduled on February 23, 2024.

Respectfully submitted,

/S/ Ian N. Friedman  
ERIC C. NEMECEK (0083195)  
IAN N. FRIEDMAN (0068630)  
Counsel for Defendant  
Friedman Nemecek & Long, L.L.C.  
1360 East 9<sup>th</sup> Street, Suite 650  
Cleveland, Ohio 44114  
P: (216) 928-7700  
F: (216) 820-4659  
E: inf@fanlegal.com  
E: ecn@fanlegal.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion was filed by CM/ECF on the 9th day of February, 2024, which will send a notification of such filing electronically to all parties in this case.

Respectfully submitted,

/s/ Ian N. Friedman

IAN N. FRIEDMAN (0068630)

ERIC C. NEMECEK (0083195)

Counsel for Defendant